



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/334,354 06/16/99 TAJIME

J P/2054-107

OSTROLENK FABER GERB & SOFFEN LLP  
1180 AVENUE OF THE AMERICAS  
NEW YORK NY 10036-8403

WM01/1108

EXAMINER

LEE, R

ART UNIT

PAPER NUMBER

2613

DATE MAILED:

11/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/334,354

Applicant(s)

Tajime et al

Examiner

Richard Lee

Art Unit

2613



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

Art Unit: 2613

1. The Official drawings filed June 16, 1999 are acceptable.
2. The drawings are objected to because "Fixed-Length Decoder" as shown in block element 203 should be changed to "Fixed-Length Encoder" for clarity (see below paragraph (3)).

Correction is required.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "plurality of compression processing units" as claimed in claim 2, lines 4-5; "plurality of quantizers and a plurality of quantization characteristic tables" as claimed in claim 5, lines 2-3; "a plurality of quantizers and a quantization characteristic table" as claims in claim 6, lines 2-3; "a plurality of compression processing units" as claimed in claim 9, lines 18-19; "a plurality of quantizers" and "a quantization characteristic table" as claimed in claim 14, lines 2 and 5, respectively; and "a plurality of compression processing units" as claimed in claim 17, lines 3-4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

4. The disclosure is objected to because of the following informalities:

(a) at page 11, line 22 of the Specification, "fixed-length decoder 203" should be changed to "fixed-length encoder 203" for clarity; and

(b) at page 12, line 11 of the Specification, "fixed-length decoder 203" should be changed to "fixed-length encoder 203" for clarity.

Appropriate correction is required.

Art Unit: 2613

5. Claims 1-16, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For examples:

(1) claim 1, line 5, "the signal" shows no clear antecedent basis;

(2) claim 9, line 11, line 17, claim 10, line 2, claim 11, line 2, claim 12, line 2, "said access width control means" shows no clear antecedent basis, respectively;

(3) claim 12, line 15, "can be" should be changed to "is" for positive recitation; and

(4) claim 18, lines 3-4, "the compressed stream" shows no clear antecedent basis.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ohira et al (6,208,689).

Ohira et al discloses a method and apparatus for digital image decoding as shown in Figures 18, 19, and 24, and the same moving picture decoding method as claimed in claims 17 and 18, comprising the same detecting the coded bit number for one or a plurality of compression processing units or for every control unit of compression processing (i.e., 107a of Figures 18 and

Art Unit: 2613

24), and controlling the coded bit number so that the coded bit number is in conformity with the bit number of an access unit of a storage means (i.e., 103 of Figure 18) when the detected coded bit number exceeds the bit number of an access unit of the storage means or is lacking, wherein the step of controlling using information included in the compressed stream (see column 13, line 61 to column 14, line 64, and see 106 of Figure 18).

8. Claims 1-16 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakajima et al, Pau et al, Adolph et al, Ishiyama, Kranawetter, Abe et al, Takahashi et al, Fujiwara, and Canfield et al disclose various types of video encoding and decoding systems.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2613

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.

  
RICHARD LEE  
PRIMARY EXAMINER

Richard Lee/rl

11/6/01

